

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

107590696

Application No. : To Be Assigned Confirmation No. : TBA
 First Named Inventor : Gerhard FREY
 Filed : August 25, 2006
 TC/A.U. : To Be Assigned
 Examiner : To Be Assigned
 Docket No. : 095309.58164US
 Customer No. : 23911
 Title : Redundant Brake Control System for a Vehicle

**INFORMATION DISCLOSURE STATEMENT
 UNDER 37 C.F.R. §§ 1.97 AND 1.98**

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, the attached Form PTO-1449 lists documents which the Examiner may deem relevant to patentability of the claims of the above-identified application.

I. Time Period of Submission

This Information Disclosure Statement is submitted:

☒ 1) no later than three months from the application's filing date or 2) before the mailing date of the first Office Action on the merits (whichever is later) or 3) before a first Office Action after the filing of a Request for Continued Examination, and therefore no statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

☐ 2) after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, a Notice of Allowance, or an action closing prosecution (*Ex parte Quayle*), (whichever is earlier), and therefore Applicant is filing concurrently herewith:

☐ a Statement under 37 C.F.R. § 1.97(e); or

☐ a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

☐ 3) after either a Final Office Action or a Notice of Allowance, but before payment of the Issue Fee, and therefore Applicant is submitting herewith:

a Statement under 37 C.F.R. § 1.97(e); and

Rec'd PCT/PTO 25 AUG 2006

a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

II. Statement Under 37 C.F.R. § 1.97(e)

☐ I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or

☐ I hereby state that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making a reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement; or

III. Statement under 37 C.F.R. § 1.704(d)

☐ I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement.

IV. Submission of Non-English Language Documents

☒ The following is a concise explanation of relevance of the non-English language documents listed in the attached Form PTO-1449:

☒ The relevance of document(s) AF - AI to the subject matter of the present invention is/are provided in the specification of the above-identified application.

☒ Corresponding foreign or international report(s) citing document(s) AH - AL and AN - AP, together with an English-language version(s) (if not already in English) of that portion of the report(s) indicating the degree of relevance found by the foreign office(s) is/are submitted.

☒ English language family member publication(s) of document(s) AJ - AL, AN and AP is/are noted on Form PTO-1449.

☒ English language abstract(s) is/are submitted for document(s) AH, AI, AN and AP.

☐ English translation(s) of the foreign language document(s)
_____ is/are submitted herewith.

☐ Applicant submits the following explanations:

V. Continuations/Divisionals

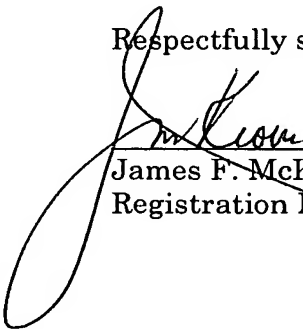
☐ Documents _____ were of record in parent application Serial No. _____, filed _____, from which this application claims benefit. As provided in 37 C.F.R. §1.98(d), copies of the documents are not being provided since they were previously submitted to or cited by the United States Patent and Trademark Office in the afore-mentioned parent application.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

If necessary, this paper should be considered as an authorization to charge Deposit Account 05-1323, Attorney Docket No.: 095309.58164US, for the fee set forth in 37 C.F.R. § 1.17(p).

Respectfully submitted,

August 25, 2006



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Substitute for form 1449A/PTO		Complete if known IAP5 Rec'd PCT/PTO 25 AUG 2005	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>		Application Number	To Be Assigned
		Filing Date	August 25, 2006
		First Named Inventor	Gerhard FREY
		Art Unit	To Be Assigned
		Examiner Name	To Be Assigned
Sheet 1 of 1	Attorney Docket Number	095309.58164US	

U.S. PATENT DOCUMENTS						
Examiner Initials ¹	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)				
	AA	US- 2004/0015281	A1	01-22-2004	Weiberle	
	AB	US- 5,810,454	A	09-22-1998	Prinzler et al.	
	AC	US-6,345,225	B1	02-05-2002	Boehm et al.	
	AD	US-6,350,234	B1	02-26-2002	Foerster-Klein et al.	
	AE	US-5,255,962	A2	10-26-1993	Neuhaus et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials ¹	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ²
		Country Code ³ –Number ⁴ –Kind Code ⁵ (if known)				
	AF	DE 100 32 179 A1	01-17-2002	DaimlerChrysler AG		
	AG	DE 100 46 832 A1	03-28-2002	DaimlerChrysler AG		
	AH	EP 0 832 800 A2	04-01-1998	WABCO GMBH		ABS
	AI	EP 1 231 121 A2	08-14-2002	Siemens Aktiengesellschaft		ABS
	AJ	DE 101 18 263 A1	10-17-2002	Robert Bosch GmbH	Corresponds to AA	
	AK	DE 195 21 175 C1	07-11-1996	Continental Aktiengesellschaft	Corresponds to AB	
	AL	DE 198 32 167 A1	05-27-1999	ITT Mfg. Enterprises, Inc.	Corresponds to AC	
	AM	WO 01/44778 A1	06-21-2001	Delphi Technologies, Inc.		
	AN	DE 198 22 167 A1	12-02-1999	Olympus Winter & IBE GmbH	Corresponds to AD	ABS
	AO	DE 197 17 686 A1	10-29-1998	ITT Mfg. Enterprises, Inc.		
	AP	EP 0 467 112 A2	01-22-1992	WABCO Westinghouse Fahrzeugsbremsen GmbH	Corresponds to AE	ABS

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials ¹	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AQ	International Search Report dated June 28, 2005 with and English translation of the pertinent portion (eleven (11) pages).	
	AR	German Search Report dated January 14, 2005 with an English translation of the pertinent portion (eight (8) pages).	

Examiner Signature	Date Considered
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¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 608. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.